

REMARKS

Claims 1-14 are all the claims pending in the application. Claims 4 and 9 are hereby canceled without prejudice or disclaimer.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 1, 5, 6, 10, 11, and 13 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Dureau et al. (6,118,472, of record) [Dureau] in view of Clark (5,089,885).

Claim 1 as amended, recites, *inter alia*, “wherein said provider's server adds an identification code to the display data, and said television set selects the display data based on the identification code.”

In the Office Action, the Examiner concedes that Dureau and Clark fail to disclose this feature. (*Office Action*, p. 6). Thus, Applicant submits claims 1 and 6 as amended, are patentably distinguishable over Dureau and Clark as applied by the Examiner. However, in the rejection of claims 4, 9, 12 and 14, the Examiner applies Majeti et al. (US 5,534,913) as disclosing this feature.

Consequently, assuming the Examiner would apply Majeti to reject the features of claim 1, Applicant submits the following.

Even if Majeti, Dureau and Clark as combined as suggested, Applicant submits the applied combination fails to disclose, “wherein said provider's server adds an identification code to the display data, and said television set selects the display data based on the identification code,” as recited in claim 1.

In the rejection, the Examiner contends:

In an analogous art, Majeti teaches addressing data to particular users (col. 4, lines 26-45) wherein the data is broadcast to many users over a common broadcast channel (col. 4, lines 7-25), thus the receiver equipment must select received data for display based on the address information included in the broadcast, for the benefit of selectively targeting data to different users over a broadcast distribution network.

(*Office Action*, p. 6).

However, in contrast to the Examiner's contention, Applicant submits Majeti fails to disclose that an identification code is added to display data which is displayed on a television set. Rather, the portion of Majeti cited by the Examiner pertains to a response to a request for information services.

In response to the request, "the information service provider may transmit a plurality of packets of information (requested information) addressed to the requesting user." (col. 4, lines 7-9). This information is then translated into a broadband signal imposed on an RF carrier which is transmitted over a communication channel 28 to one of the cable television distribution head-ends 30A-30N which serve the corresponding subscriber. However, Majeti also discloses that other sources of information and television programming, in addition to the requested information, is delivered to the cable distribution head ends. (*Id.* at lines 16-18). To transmit the requested information, the other sources of information and the television programming, the head-end units multiplex these received signals (requested information, other sources of information, and television programming) into cable television bandwidth signals. (*Id.* at lines 20-24).

On the receiving end, the customer premises equipment splits the cable television bandwidth signals sending one portion to a set top box 62 and another portion to a home controller 70. (col. 4, lines 28-37). However, only the portion sent to the set top box 62 is viewed on a television. The portion containing the requested data, or the “data addressed to the particular user,” is received by the home controller 70 for use on a personal computer. (*Id.*). In other words, the data addressed to a particular user is not the data displayed on the television. Rather, this information is for use on a personal computer via the home controller 70.

Thus, Applicant submits Majeti fails to disclose that an identification code is added to display data which is displayed on a television set. Accordingly, because neither Dureau nor Clark disclose any such feature, even if the references are combined, Applicant submits the applied combination fails to disclose all the features recited in claim 1. Additionally, because claim 6 recites a similar feature, Applicant submits claim 6 is allowable for at least the same reasons set forth above with regard to claim 1. Finally, Applicant submits claims 5, 10, 11, and 13 are allowable, at least by virtue of their dependency.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 2, 3, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dureau and Clark as applied to claims 1 and 6 above, and further in view of Shimomura et al. (6,526,580, of record) [Shimomura].

Applicant respectfully submits that because Shimomura, either alone or in combination with Dureau and Clark, fails to remedy the deficiency of the Dureau/Clark/Majeti combination as discussed above, claims 2, 3, 7 and 8 are allowable, at least because of their dependency.

Applicant respectfully submits that because Majeti, either alone or in combination with Dureau and Gerszberg, fails to remedy the deficiency of the Dureau/Gerszberg combination as discussed above, claims 4, 9, 12 and 14 are allowable, at least because of their dependency.

Claim Rejections - 35 U.S.C. § 103(a)

Claims 4, 9, 12, and 14 rejected under 35 U.S.C. 103(a) as being unpatentable over Dureau and Clark as applied to claims 1 and 6 above, and further in view of Majeti et al. (5,534,913, of record) [Majeti].

First, Applicant submits this rejection moot with regard to claims 4 and 9 which are canceled herewith.

Second, Applicant respectfully submits that because Majeti, either alone or in combination with Dureau and Clark, fails to remedy the deficiency of the Dureau/Clark combination as discussed above, claims 12 and 14 are allowable, at least because of their dependency.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
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Attorney Docket No.: Q63951

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'David P. Emery', written over a horizontal line.

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